

General Permit to Operate and/or Construct a Gasoline Dispensing Operation

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General Permit to Operate and/or Construct a Gasoline Dispensing Operation

Section 1. Authority

[A.R.S. §49-480.J][County Rule 200 and 230]

This General Permit is authorized by Rule 200 and Rule 230 of the Maricopa County Air Pollution Control Regulations (Rules) pursuant to Section 49-480.J of the Arizona Revised Statutes. In that the Arizona Department of Environmental Quality has not issued a general permit for *Gasoline Dispensing Operations* in Maricopa County as defined herein, the Maricopa County Environmental Services Department (Department) is authorized to issue this General Permit.

Section 2. Definitions

For the purposes of this General Permit, the following definitions shall apply:

- A. “CARB-Certified”** - A vapor control system, subsystem, or component that has been specifically approved by system configuration and manufacturer’s name and model number in an executive order of the California Air Resources Board (CARB), pursuant to Section 41954 of the California Health and Safety Code. Such orders are included in CARB’s publication, “Gasoline Facilities – Phase I & II”, which is available as set forth in subsection 503.4 of County Rule 353.
- [County Rule 353 §201]
- B. “Dispensing Tank”** - Any stationary tank which dispenses *Gasoline* into a motorized vehicle’s fuel tank that directly fuels its engine(s). This includes aircraft.
- [County Rule 353 §202]
- C. “Excess Gasoline Drainage”** - More than 10 milliliters (2 teaspoonsful) of liquid *Gasoline* lost from the end of a fill hose or vapor hose in the process of connecting or disconnecting the hose; or any quantity of *Gasoline* escaping out the end of such a hose that wets any area(s) on the ground having an aggregate area greater than 113 square inches, or the perimeter of which would encompass a circle of 12 inches (30.5 cm) diameter. This does not include drainage into a fill-tube’s spill containment receptacle.
- [County Rule 353 §203]
- D. “Gasoline”** - Any petroleum distillate or blend of petroleum distillate with other combustible liquid(s), such as alcohol, that is used as a fuel for internal combustion engines and has a vapor pressure between 4.0 and 14.7 psi (200 – 760 mm Hg), as determined by the applicable method pursuant to subsections 503.2 and 504.2 of County Rule 353. For the purposes of these Permit Conditions, liquefied petroleum gas (LPG) is excluded.
- [County Rule 353 §204]

- E. “Gasoline Delivery Vessel”** - Any vehicular-mounted container such as a tanker truck, tank trailer, cargo tank or any other wheel mounted container used to transport *Gasoline*. This includes any hosing the vessel carries through which deliveries must be made.
[County Rule 353 §205]
- F. “Gasoline Dispensing Operation”** - All *Gasoline Dispensing Tanks* and associated equipment located on one or more contiguous or adjacent properties under the control of the same person (or persons under common control).
[County Rule 353 §206]
- G. “Gasoline Vapors”** - Vapors, originating from liquid *Gasoline*, that are usually found in mixture with air. Included are any droplets of liquid *Gasoline* or of *Gasoline* vapor condensate that are entrained by the vapor.
[County Rule 353 §207]
- H. “Leak Free”** - A condition in which there is no liquid *Gasoline* escape or seepage of more than 3 drops per minute from *Gasoline* storage, handling, and ancillary equipment, including, but not limited to, seepage and escapes from above ground fittings.
[County Rule 353 §209]
- I. “Poppetted Dry Break”** - A Stage 1 vapor recovery device that opens only by connection to a mating device to ensure that no *Gasoline* vapors escape from the *Dispensing Tank* before the vapor return line is connected.
[County Rule 353 §212]
- J. “Responsible Official”** - One of the following:
- 1) For a corporation: A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more operating facilities applying for or subject to a permit and the delegation of authority to such representatives is approved in advance by the Department;
 - 2) For a partnership: A general partner
 - 3) For a sole proprietorship: The owner; or
 - 4) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking elected official.
- [County Rule 100 §200.95]
- K. “Stage I Vapor Recovery System”** - At a *Gasoline* dispensing facility, the use of installed vapor recovery equipment designed to reduce by at least 90%, the VOC vapor that would otherwise be displaced into the atmosphere from a *Dispensing Tank* when *Gasoline* is delivered into the tank by a *Gasoline Delivery Vessel*. This reduction may be done either by capturing the displaced vapors within the *Gasoline Delivery Vessel*, and/or by processing the vapors on site with an emission processing device (such as a VOC oxidizer).
[County Rule 353 §214]

- L. “Tank Capacity”** - The maximum volume of liquid *Gasoline* a particular tank is allowed to store while still complying with all applicable rules, including local, state, and Federal rules.
[County Rule 353 §215]
- M. “Vapor Loss Control Device”** - Any piping, hoses, equipment, or devices which are used to collect, store and/or process VOC vapors at a service station or other *Gasoline Dispensing Operation*.
[County Rule 353 §217]
- N. “Vapor Tight”** - A condition in which an organic vapor analyzer (OVA) or a combustible gas detector (CGD) at a potential VOC leak source shows either less than 10,000 ppm when calibrated with methane, or less than 1/5 of the lower explosive limit when prepared according to the manufacturer and used according to subsection 504.3 of County Rule 353.
[County Rule 353 §218]

Section 3. Authorization Under this General Permit

Any *Gasoline Dispensing Operation*, as defined in Section 2 of this General Permit shall be eligible for coverage under this General Permit if they meet the requirements as specified in Sections 4 and 5. However, if a *Gasoline Dispensing Operation* does not meet the provisions of Sections 4 and 5, they will be considered ineligible for coverage and may be required by the Control Officer to obtain an individual source permit.

- A. Authority to Operate (ATO) or Construct.** A facility is not covered by this General Permit unless a complete application for an ATO is filed with the Control Officer
[County Rule 230 §303.1]
- B. Effective Date and Expiration Date of Authorization.** This General Permit shall be valid for five years after the date it is signed by the Control Officer. All ATOs issued under this General Permit expire on the same date that this General Permit expires regardless of when the ATO was issued. Any activity covered by this General Permit is authorized at the specified facility on the date the application is filed. The Control Officer will provide written notice of the expiration of this General Permit stating that the source must reapply for coverage. The Permittee may operate under the terms of this General Permit until the earlier of the date it submits a complete application for a new General Permit, or the filing deadline specified in the renewal notice sent by the Control Officer.
[County Rule 210 §302.1a] [County Rule 230 §§302.4, 303.3, 306 and 311.3]
- C. Requirements to File an Application for an Individual Source Permit.**
- 1) Denial of an ATO [County Rule 230 §303.3]
If the Control Officer notifies the Permittee that the application for coverage under the General Permit is denied, the applicant must file an individual source permit application within 180 days of receipt of the denial notice.

- 2) **Revocation of Authority to Operate:** [County Rule 230 §311]
The Control Officer may require a source authorized to operate under a general permit to apply for and to obtain an individual source permit at any time as outlined in County Rule 230 §311.1. If the Control Officer provides written notice of cancellation of a general permit, sources notified shall submit an application to the Control Officer for an individual permit within 6 months of receipt of the notice of expiration, termination or cancellation. A source previously authorized to operate under a general permit may operate under the terms of the general permit until the earlier of the date it submits a complete application for an individual source permit, or 180 days after receipt of the notice of expiration, termination or cancellation.

- D. Issuance of an Individual Source Permit.** [County Rule 230 §307]
If the Control Officer issues an Individual Source Permit authorizing the same activity that is authorized by an ATO issued under this General Permit, the ATO shall become null and void on the date that the Individual Source Permit is issued.

Section 4. General Requirements

- A. Compliance Required.** The Permittee shall comply with the conditions and provisions of this Permit, and all air quality requirements of the Federal regulations, State Rules, and Maricopa County Rules. Compliance with the permit terms and conditions does not relieve, modify, or otherwise affect the Permittee's duty to comply with all air quality requirements of the Federal regulations, State Rules, and Maricopa County Rules. Any permit non-compliance is grounds for enforcement action; for a permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application. Non-compliance with any federally enforceable requirement in a permit constitutes a violation of the Clean Air Act. The Permittee shall halt or reduce activities if necessary to maintain compliance.

[County Rule 210 §302.1.h.(1), (2)][County Rule 230 §302.4.a.]

- B. Duty to Provide Information.**

- 1) The Permittee shall furnish to the Control Officer, within a reasonable time, any information that the Control Officer may request in writing to determine whether cause exists for revoking the ATO, or to determine compliance with the permit. Upon request, the Permittee shall also furnish to the Control Officer copies of records required to be kept by the permit. For information claimed to be confidential, the Permittee shall furnish a copy of such records directly to the Administrator of EPA along with a claim of confidentiality if required to do so by the Control Officer.

[County Rule 210 §302.1h.(5)][County Rule 230 §302.4.a.]

- 2) If, while processing an application for an ATO, the Control Officer determines that additional information is necessary to evaluate or to take final action on that application, the Control Officer may request such information in writing and may set a reasonable deadline for a response. The Control Officer may, after one submittal by the applicant under this rule, reject an application that is still determined to be incomplete and shall notify the applicant of the decision by certified mail.

[County Rule 220 §301.4.e.]

- 3) If the Permittee has failed to submit any relevant facts or has submitted incorrect information in the application for an ATO, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.

[County Rule 220 §301.5]

C. Filing of an Application for an ATO. Any facility that is eligible for this General Permit according to the requirements of Section 4 may apply for an ATO by completing the necessary application forms that are approved by the Control Officer. The application shall be completed, all necessary information provided, and the ATO application shall be signed by the responsible official before the application may be processed.

A source applying for an ATO under this Permit shall not propose nor accept pursuant to Rule 220 emission limitations, controls, or other requirements that are not included in this General Permit.

[County Rule 230 §302.4]

D. Facility Changes Not Requiring a Permit Revision

- 1) Except for a physical change or change in the method of operation at a Gasoline Dispensing Operation requiring the Permittee to obtain an individual permit, or a change subject to logging or notice requirements in Conditions D.2 or D.3 of this Section, a change at a Gasoline Dispensing Operation shall not be subject to revision, notice, or logging requirements of these General Permit Conditions.

[County Rule 220 §404.1]

- 2) The following changes may be made if the Permittee keeps on-site records of the changes according to Section 6 of this General Permit.
 - a) Changing process equipment, operating procedures, or making any other physical change if the permit requires the changes to be logged;
 - b) Engaging in any new exempted activity listed in County Rule 200, subsection 303.3(c), but not listed in the General Permit; and

- c) Making a change that results in a decrease in actual emissions, if the Permittee wants to claim credit for the decrease in determining whether the Permittee has a net emissions increase for any purpose. The logged information shall include a description of the change that will produce the decrease in actual emissions. A decrease that has not been logged is creditable only if the decrease is quantifiable, enforceable, and otherwise qualifies as a creditable decrease.

[County Rule 220 §404.2.b,c,d & e]

- 3) The following changes may be made if the Permittee provides written notice to the Control Officer in advance of the change as provided below:

- a) Making a physical change or a change in the method of operation that increases actual emissions more than 10% of the major source threshold for any conventional air pollutant but does not require a permit revision: no less than 7 days before the change;
- b) Making any change that would trigger an applicable requirement that already exists in the permit: no less than 30 days before the change, unless otherwise required by an applicable requirement;
- c) Making a change that amounts to reconstruction of the source or an affected facility: no less than 7 days before the change. For purposes of this subsection, reconstruction of a source or an affected facility shall be presumed if the fixed capital cost of the new components exceed 50% of the fixed capital cost of a comparable entirely new source or affected facility and the changes to the components have occurred over the 12 consecutive months beginning with commencement of construction; and
- d) Making a change that will result in the emissions of a new regulated air pollutant above an applicable regulatory threshold, but that does not trigger a new applicable requirement for that source category: no less than 30 days before the change. For purposes of this requirement, an applicable regulatory threshold for a conventional air pollutant shall be 10% of the applicable major source threshold for that pollutant.

[County Rule 220 §404.3.b,d,e & f]

- 4) For each change under Condition D.3 above, the written notice shall be by certified mail or hand delivery and shall be received by the Control Officer the minimum amount of time in advance of the change. Notifications of changes associated with emergency conditions, such as malfunctions necessitating the replacement of equipment, may be provided with less than required notice, but must be provided as far in advance of the change, or if advance notification is not practicable, as soon after the change, as possible.

[County Rule 220 §404.4]

5) The written notice shall include:

- a) When the proposed change will occur;
- b) A description of the change;
- c) Any change in emissions of regulated air pollutants; and
- d) Any permit term or condition that is no longer applicable as a result of the change.

[County Rule 220 §404.5]

6) Notwithstanding any other Condition of this General Permit, the Control Officer may require the Permittee to obtain a new ATO or an individual permit for any change that, when considered together with any other changes submitted by the same facility under this Condition over a 5 year term, constitutes a change under County Rule 220 Section 403.2.

[County Rule 220 §404.6]

7) If a source change is described under both Condition D.2 and D.3 of this section, the source shall comply with Condition D.3 of this section.

[County Rule 220 §404.7]

8) If a source change is described under both Conditions D.3 and County Rule 220 section 403.1, the Permittee shall apply for a new ATO.

[County Rule 220 §404.8]

9) A Permittee may implement any change under Condition D.3 above without the required notice by applying for a new ATO.

[County Rule 220 §404.9]

E. Pay Applicable Fees.

[County Rule 280]

Sources applying for an ATO for this General Permit shall pay all fees to the Control Officer pursuant to Rule 280 of the Maricopa County Air Pollution Control Regulations.

F. Posting of a Permit.

[County Rule 200 §311]

The Permittee shall post a copy of the ATO at the covered facility in such a manner as to be clearly visible. A complete copy of the General Permit and the original ATO shall be kept on the site during the life of the permit.

G. Property Rights.

[County Rule 210 §302.1.h.(4) and 230 §302.4.a]

This General Permit does not convey any property rights of any sort, or any exclusive privilege.

H. Right to Entry and Inspection.

For the purpose of assuring compliance with this General Permit, the Permittee shall allow the Control Officer or authorized representative, upon presentation of proper credentials:

[County Rule 220 §302.17,18,19,20,21]

- 1) To enter upon the Permittee's premises where the source is located or emissions-related activity is conducted, or where records are required to be kept pursuant to the conditions of this Permit, and
- 2) To have access to and copy, at reasonable times, any records required to be kept under the terms and conditions of this General Permit, and
- 3) To inspect any source, at reasonable times, equipment (including monitoring and air pollution control devices), practices or operations regulated or required in this General Permit, and
- 4) To sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this General Permit or other applicable requirements, and
- 5) To record any inspection by use of written, electronic, magnetic, and photographic media.

I. Severability.

[County Rule 210 §302.1.g and 230 §302.4a]

The provisions of this General Permit are severable and, if any provision of this General Permit is held invalid, the remainder of this General Permit shall remain valid.

Section 5. Operational Requirements and Limitations

The Permittee shall ensure that authorized activities are conducted in accordance with the following conditions:

- A. Throughput.** The Permittee shall not allow the facility's *gasoline* throughputs to exceed any of the limits in the following table:

| Controls | Maximum Monthly Limits | Rolling Twelve Month Limits |
|-------------------------------|------------------------|-----------------------------|
| Uncontrolled (Non-resale) | 10,000 gallons | 120,000 gallons |
| Stage I Vapor Recovery | 160,000 gallons | 1,920,000 gallons |
| Stage I and II Vapor Recovery | 740,000 gallons | 8,880,000 gallons |

The Rolling Twelve Month Limit shall include every period of twelve consecutive calendar months.

[County Rule 353 §305.2][County Rule 220 §304.1]

- B. Vapor Loss Control Measure Requirements:** [County Rule 353 §300]
No person shall transfer or permit the transfer of *Gasoline* from any *Gasoline Delivery Vessel* into any stationary *Dispensing Tank* located above or below ground with a Tank Capacity of more than 250 gallons (946 liters) unless the following conditions are met:
- 1) Basic Tank Integrity: [County Rule 353 §301]
No vapor or liquid escapes are allowed through a *Dispensing Tank's* outer surfaces, nor from any of the joints where the tank is connected to pipe(s), wires, or other system.
 - a) VOC Emission Standard:
 - (1) *Gasoline* delivery operations shall be *Vapor Tight*.
 - (2) Tanks and their fittings shall be *Vapor Tight* except for the outlet of a pressure/vacuum relief valve on a *Dispensing Tank's* vent pipe. Specifically, this means that at a probe tip distance of 1 inch (2.5 cm) from a surface, no vapor escape shall exceed 1/5 of the lower explosive limit. This applies to tanks containing *Gasoline* regardless of whether they are currently being filled, and to caps and other tank fittings.
 - b) Leakage Limits: *Gasoline* storage and receiving operations shall be *Leak Free*. Specifically no liquid *Gasoline* escape of more than 3 drops per minute is allowed. This includes leaks through the walls of piping, fittings, fill hose(s), and vapor hose(s). There shall be no *Excess Gasoline Drainage* from the end of a fill hose or a vapor hose. Specifically, not more than 2

teaspoonsful of *Gasoline* shall be lost in the course of a connect or disconnect process.

- c) Spill Containment Equipment: The entire spill containment system including gaskets shall be kept *Vapor Tight*.
 - (1) The outer surface of the spill containment receptacle shall have no holes or cracks and shall allow no vapors to pass from the *Dispensing Tank* through it to the atmosphere.
 - (2) Spill containment receptacles shall be kept clean and free of foreign material at all times.
 - (3) Spill containment receptacles shall be inspected at least weekly. Records of inspection and cleaning shall be kept according to Section 6 of this Permit.
 - (4) If the spill containment is equipped with a passageway to allow material trapped by the containment system to flow into the interior of the *Dispensing Tank*:
 - (a) The passageway shall be kept vapor tight at all times, except during the short period when a person opens the passageway to immediately drain material trapped by the containment system into the tank.
 - (b) The bottom of the receptacle shall be designed and kept such that no puddles of *Gasoline* are left after draining through the passageway has ceased.
 - (5) The *Dispensing Tank* owner/operator is responsible for assuring that before a delivery vessel leaves the premises after a delivery:
 - (a) Any *Gasoline* in a *Dispensing Tank's* spill containment receptacle has been removed.
 - (b) Any *Gasoline* that a person has taken out of a spill receptacle, as a free liquid or as absorbed into/onto other material removed from the receptacle, shall be contained in such a way that VOC emission is prevented; disposal in conformance with applicable hazardous waste rules is sufficient to meet this requirement.
 - (c) Any plunger/stopper assembly is unimpeded and sealing correctly.
 - (6) Criteria of Violation/Exceedance For Spill-Containment Receptacles: A reading on a CGD or OVA exceeding 1/5 LEL (10,000 ppm as methane) is an exceedance.

2) Fill Pipe Requirements:

[County Rule 353 §302]

- a) Submerged Fill Pipe: Each fill-line into a stationary *Dispensing Tank* shall be equipped with a permanent submerged fill pipe that has a discharge opening which is completely submerged when the liquid level is six inches above the tank bottom.
 - (1) Threads, gaskets, and mating surfaces of the fill pipe assembly shall be designed and maintained tight. There shall be no liquid or vapor leakage at the joints of the assembly.
 - (2) The Permittee is responsible to assure that external fittings of a fill pipe assembly shall be inspected weekly to assure that cap, gasket, and piping are intact and are not loose.
 - (a) A record of the inspection shall be made according to Section 6 of these Permit Conditions
 - (b) The Permittee shall act to prevent driver/deliverers from connecting the delivery hose coupling to a fill pipe coupling with so much twisting force that the fill pipe assembly is loosened. One method of complying is to have a CARB-certified swivel coupling as part of the fill pipe assembly (reference subsection 503.4 of County Rule 353 for CARB).
- b) Fill Pipe Caps:
 - (1) The cap shall have a securely attached, intact gasket.
 - (2) The cap and its gasket shall always function properly, latch completely so that it cannot then be easily twisted by hand, and have no structural defects.
 - (3) The cap of a *Gasoline* fill pipe shall always be fastened securely on the fill pipe except immediately before, during, and immediately after:
 - (a) “Sticking” the tank to measure *Gasoline* depth
 - (b) Delivering *Gasoline* into the tank
 - (c) Doing testing, maintenance or inspection on the *Gasoline*/vapor system
 - (4) Do not unfasten or remove a fill pipe cap unless every other fill pipe is either securely capped or connected to a delivery hose, except as otherwise needed for testing, maintenance, or inspection.
- c) Multiple Fill Pipes:
 - (1) A tank installed after December 31, 1998 shall not be equipped with more than one fill pipe unless there is a 2-point system having a properly installed vapor return pipe close to each fill pipe.
 - (2) Concurrent Delivery: The Permittee of a *Dispensing Tank* fitted with more than 1 fill pipe shall prevent concurrent delivery of *Gasoline* by a *Gasoline*

- (a) All fill pipes in use are part of a 2-point vapor recovery system and
 - (b) Before making a concurrent delivery through a tank's second fill pipe, an additional vapor return hose from the delivery vessel must first be attached to the vapor return line associated with the second fill pipe.
 - d) **Fill Pipe Obstructions:**
No screen and/or other obstructions in fill pipe assemblies shall be allowed unless it is *CARB-certified* or does not prevent the measurement of how far the end of the fill pipe is from the bottom of the tank (overflow protection flappers are acceptable). Allowed screens and/or other obstructions shall be temporarily removed by the Permittee of a *Dispensing Tank* prior to inspection by the Control Officer to allow measurements pursuant to this Permit.
 - e) **Overflow Protection Equipment:** Overflow prevention equipment shall be *Vapor Tight* to the atmosphere. Any device mounted within the fill pipe shall be so designed and maintained that no vapor from the vapor space above the *Gasoline* within the tank can penetrate into the fill pipe or through any of the fill pipe assembly into the atmosphere.
- 3) **Vapor Recovery System Requirements :** [County Rule 353 §303]
- a) **Stage I Vapor Recovery System:** The source shall maintain and operate a *Stage I Vapor Recovery System*. Non-resale Gasoline Dispensing Operations with a 12 month rolling throughput of less than 120,000 gallons do not have to comply with this requirement.
 - b) **Stage I Vapor-Recovery System Configuration**
 - (1) **Replacement:** After June 16, 1999, no part of a vapor recovery system for which there is a CARB specification shall be replaced with anything but *CARB-Certified* components.
 - (2) **Vapor Valves:**
 - (a) All vapor return lines from *Dispensing Tanks* shall be equipped with *CARB-Certified*, spring loaded, *Vapor Tight*, *Poppetted Dry Break* valves.
 - (b) Vapor valves shall be inspected weekly to determine if closure is complete and gaskets are intact; a record shall be made pursuant to Section 6 of this Permit.
 - (3) **Above-Ground Systems:** After June 16, 1999, an above ground *Dispensing Tank* shall have *CARB-Certified* fittings wherever CARB so specifies.

(4) New Systems: Each new *Gasoline* tank installation shall use *CARB-Certified* fittings exclusively wherever CARB so specifies, and:

(a) Shall have its own separate, functioning 2-point vapor return line;

(b) Is allowed to have a combination vapor recovery system that in addition to having a separate 2-point Stage 1 vapor return line, also has stage 1 vapor piping/fittings linking it to one or more (other) *Gasoline Dispensing Tanks*.

(5) New Coaxial Prohibited:

(a) No coaxial fill pipes shall be installed after June 16, 1999 in new installations; and

(b) No coaxial fill pipes shall be reinstalled after June 16, 1999, in major modifications in which the top of the tank is exposed and the vapor port bung is pre-configured to accept vapor recovery piping.

c) **Stage II Vapor Recovery.** If the facility is required to install a Stage II Vapor Recovery System pursuant to A.R.S. Title 41, Chapter 15, the Stage II Vapor Recovery System permit shall be obtained from the State of Arizona prior to operation of the facility.

[A.R.S. Title 41, Chapter 15]

4) **Equipment Maintenance and Use Requirements** [County Rule 353 §304]

All vapor loss control equipment shall be installed as required, operated as recommended by the manufacturer, and maintained *Leak Free, Vapor Tight* and in good working order.

a) Both the owner/operator of a *Dispensing Tank* and the driver/operator of a delivery vessel delivering *Gasoline* to the fuel *Dispensing Tank* equipped with vapor recovery shall have the responsibility to assure that vapor recovery equipment is properly connected and in use at all times while *Gasoline* is actively being dropped/delivered.

b) The owner/operator of a fuel *Dispensing Tank* shall refuse delivery of *Gasoline* from a *Gasoline Delivery Vessel* which does not bear a current pressure test certification decal issued by the Control Officer. This permit condition does not apply during times when the facility is unattended or there is only one person under control of the dispensing facility present.

c) Coaxial Fill tubes, if allowed, shall be maintained according to the standards of their manufacturer(s) and be operated so that there is no obstruction of vapor passage from the tank to the *Gasoline Delivery Vessel*.

Section 6. Recordkeeping and Logging Requirements

- A.** The Permittee shall maintain records of the total amount of *Gasoline* received each month, as well as each rolling 12-month total (i.e., last complete month plus the previous 11 months). The total amount of *Gasoline* received each month as well as the 12-month rolling total shall be recorded by the end of the following month.
[County Rule 353 §502.1][County Rule 353 §305.2][County Rule 220 §304.1]
- B.** The Permittee shall maintain records of repairs, replacements, and modifications of any component of the Stage I Vapor Recovery System.
[County Rule 200 §309][County Rule 220 §302.7]
- C.** The Permittee shall keep weekly records of fill tube, vapor valve, and spill containment inspections. The findings of such weekly inspections shall be permanently entered in a record or log book by the end of Saturday of the following week.
[County Rule 353 §502.2]
- D.** All records and reports required by this Permit shall be retained for at least five years and shall be made available to the Control Officer upon request.
[County Rule 353 §502.3]
- E.** Records of the past 12 months shall be in a readily accessible location and must be made available to the Control Officer without delay upon verbal or written request
[County Rule 353 §502.4]
- F.** Logging Requirements:
- 1) If the Permittee makes a change that requires logging, then the Permittee shall keep such log for 5 years from the date the source creates such log.
[County Rule 220 §501]
 - 2) If the Permittee makes a change that requires logging, then the Permittee shall perform such logging in indelible ink in a bound logbook with sequentially numbered pages, or in any other form, including electronic format, if approved by the Control Officer. Each log entry shall include at least the following information:
 - a) A description of each change including:
 - (1) A description of any process change.
 - (2) A description of any equipment change, including both old and new equipment descriptions, model numbers, and serial numbers, or any other unique equipment number.
 - (3) A description of any process material change.
 - b) The date and time that the change occurred.
 - c) The provision of Section 4 Condition D.2 of this General Permit that authorizes the change to be made with logging.

- d) The date the log entry was made and the first and last name of the person making the log entry.

[County Rule 220 §502]

Section 7. Reporting Requirements

A. Logs Reporting

[County Rule 220 §503]

A copy of all facility change logs required by these Permit Conditions shall be filed with the Control Officer within 30 days after each anniversary of the permit issue date.

If no changes were made at the source requiring logging, a statement to that effect shall be filed instead.

B. Certification of Truth, Accuracy, and Completeness.

[County Rule 100§ 401 and 220§ 302.14]

Any document required to be submitted by this General Permit, including reports, shall contain a certification by the facility owner or other responsible official as defined in County Rule 100§200.95, of truth, accuracy, and completeness. This certification and any other certification required under this part shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

C. Emission Inventory:

[County Rule 100 §505]

If notified by the Control Officer, the Permittee shall submit an annual emissions inventory report to the Department, Air Quality Division, Attention: Air Quality Emissions Unit Manager, in accordance with Rule 100 of the Maricopa County Air Pollution Control Regulations. The report shall include the throughput and any excess emissions reported during the previous calendar year.

D. Excess Emissions and Malfunction Reporting:

- 1) Emissions in excess of an applicable emission limitation contained in this General Permit shall constitute a violation. For all situations that constitute an emergency, the requirements of Condition E. of this Section shall apply. In all other circumstances, it shall be an affirmative defense if the owner and/or operator of the source has complied with the reporting requirements of Condition D.2 and D.3 below as set forth..

[County Rule 140 §401]

- 2) The Permittee shall report to the Control Officer any emissions in excess of the limits established by this General Permit. Such report shall be in two parts as specified below:
- a) Notification by telephone or facsimile within 24 hours of the time when the Permittee first learned of the occurrence of excess emissions, including all available information from Condition D.3 of this Section.
 - b) Excess emissions report containing the information described in Condition D.3 of this Section within 72 hours of the notification required in Condition D.2.a above.

[County Rule 140 §501]

- 3) The excess emissions report shall contain the following information:
- a) The identity of each stack or other emission point where the excess emissions occurred.
 - b) The magnitude of the excess emissions expressed in the units of the applicable emissions limitation and the operating data and calculations used in determining the magnitude of the excess emissions.
 - c) The time and duration or expected duration of the excess emissions.
 - d) The identity of the equipment from which the excess emissions emanated.
 - e) The nature and cause of such emissions.
 - f) The steps taken, if the excess emissions were the result of a malfunction, to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunction.
 - g) The steps that were or are being taken to limit the excess emissions. If the source's permit contains procedures governing source operation during periods of startup or malfunction and the excess emissions resulted from startup or malfunction, the report shall contain a list of steps taken to comply with the permit procedures.

[County Rule 140 §502]

- 4) In the case of the continuous or recurring excess emissions, the notification requirements of this General Permit shall be satisfied if the source provides the required notification after excess emissions are first detected and includes in such notification an estimate of the time the excess emissions will continue. Excess emissions occurring after the estimated time period or changes in the nature of the emissions as originally reported shall require additional notification that meets the criteria of Conditions D.2 and D.3 above.

[County Rule 140 §503]

- 5) Information required to be submitted by Excess Emissions and Malfunction Reporting shall be summarized and reported to the Control Officer in accordance with provisions contained in Section D. above.

[County Rule 140 §504]

E. Emergency Reporting Provision.

- 1) An “emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this Permit, due to unavoidable increases attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[County Rule 130 §201]

- 2) An emergency constitutes an affirmative defense to an action brought for noncompliance with the technology-based emission limitations, so long as the definition as set forth in Condition E.1 above in this Section has been met.

[County Rule 130 §401]

- 3) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a) An emergency occurred and the Permittee can identify the cause or causes of the emergency;
 - b) At the time of the emergency, the permitted source was being properly operated;
 - c) During the period of the emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d) The Permittee, as soon as possible, telephoned the Control Officer, giving notice of the emergency, and submitted notice of the emergency to the Control Officer by certified mail, facsimile, or hand delivery within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action take.

[County Rule 130 §402]

- 4) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

[County Rule 130 §403]

- 5) The provisions of this permit condition are in addition to any emergency or upset provision contained in any applicable requirement.

[County Rule 130 §404]

Al Brown, MPA, RS
Maricopa County Air Pollution Control Officer

Issuance Date